

IN THE HONORABLE UNITED STATES DISTRICT  
COURT FOR THE MIDDLE DISTRICT OF  
SCRANTON PENNSYLVANIA

JOHN CHARLES KENNEY,  
Plaintiff,

v.

JAKE MENDEZ, et al.,  
Defendants.

Civil Action No. 1:CV-00-2143  
Honorable Judge Rambo, presiding  
(Magistrate Judge Blewitt)

FILED  
SCRANTON

JAN 11 2001

NOTICE TO THE COURT

PER DMT  
DEPUTY CLERK

Plaintiff gives notice to the Court that he has on Friday, January 5, 2001, received an ORDER, dated 1/4/01 from the Hon. Judge McClure, Jr. U.S. Dist. Ct. Judge. (Williamsport, M.D. P's Criminal Division). Ordering that plaintiff is to undergo a psychological or psychiatric examination pursuant to the provisions of Title 18, U.S. C. Sections 4242(a) and 4247(b) and (c) within forty-five (45) days of the date of such Order, at Case No. 4:CR-99-0280. The Order also states that the examination will be conducted away from plaintiff's current place of confinement, possibly conducted in another state other than Pennsylvania. Plaintiff has an affirmative obligation to inform the Court of his change of address pursuant to Standing Practice Order, p. 3, dated 2/28/94. In addition, because plaintiff is only temporarily departing away from his current place of confinement that more than likely, he will be unable to take along his personal property which contains his

legal papers and/or case file to the pending civil case. (11)  
 Due to his "temporary writ status." Finally, the Order 11/01  
 does not give, nor indicate exactly when plaintiff is to  
 return. Plaintiff can only speculate as to his return. (11)  
 See U.S. v. Gomez-Borges, 91 F. Supp. 2d 477, 481 (D.  
 Puerto Rico 2000) (mentioning (45) forty-five, (45) seventy-five,  
 plus the possibility of a (30) thirty-day extension pursuant  
 to 18 U.S.C. 4242 evaluations). Lastly, plaintiff here  
 has fulfilled his affirmative obligation by providing the  
 Court with this notice of his temporary change or place  
 of confinement pursuant to Standing Practice Order, p.  
 3., dated 2/28/94. The Order did not specifically in-  
 dicate which facility that the examination, or where the  
 examination is to be conducted. As a result, plaintiff  
 is unable to provide the Court with his temporary ad-  
 dress, but will do so once he reaches his temporary desti-  
 nation.

Respectfully submitted,

By:

Mr. John Charles Kenney, acting pro se

Register No. 05238-041

Allenwood USP

P.O. Box 3000

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Tel. (570) 547-0963, ext. SHL 6630

Dated: 1/8/01

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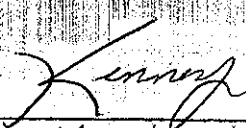
Before: (Magistrate Blewitt)

CERTIFICATE OF SERVICE BY INCARCERATED LITIGANT

I, John Charles Kenney, acting pro se hereby certifies that on Monday, January 8, 2001, that I mailed (2) copies, along with an original to the Hon. Chief Magistrate Judge Blewitt of a "Notice To The Court" by placing this material in a postpaid sealed legal envelope addressed to the Scranton, Pa. U.S. District Courthouse. I further certify that on this same day I provided a single copy for Defendants' Institution's Paralegal through the prisons internal mailing system.

Addressee:

Mr. K. M. Sullivan  
Institution Paralegal  
Allenwood USP  
P.O. Box 3000  
White Deer PA 17887-3000

  
Mr. John Charles Kenney  
Register No. 05238-041